

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

JOSEPH RESCH	:	CIVIL ACTION
<i>ON BEHALF OF HIMSELF AND</i>	:	
<i>OTHERS SIMILARLY SITUATED</i>	:	
	:	
vs.	:	
	:	
KRAPF'S COACHES, INC.	:	NO. 11cv6893

O R D E R

AND NOW, this 28th day of July, 2014, upon consideration of Defendant's Motion for Summary Judgment with Reference to Count II of Plaintiffs' Complaint (Document No. 69) wherein defendant contends that the law applicable to the Pennsylvania Minimum Wage Act claims under the Motor Carrier Exemption Act (43 Pa. C.S.A. § 333.105(h)(7)) relied upon by defendant in previously obtaining summary judgment on plaintiffs' Fair Labor Standards Act claim is identical to and incorporated into the Pennsylvania Minimum Wage Act and plaintiffs stating that they do not dispute that the MCA exemptions to the overtime premium pay protections of the Fair Labor Standards Act and the Pennsylvania Minimum Wage Act are virtually identical or that they should be applied in an identical manner with respect to the substantive issues covered by defendant's motion and plaintiffs having advised the court by letter dated July 25, 2014 that they do not raise any new issues or assert any new facts in the Pennsylvania Minimum Wage Act claims, **IT IS HEREBY ORDERED** that defendant's motion for summary judgment with reference to Count II of Plaintiffs' Complaint is **GRANTED** and judgment is entered in favor of the defendant, Krapf's Coaches, Inc. and against the plaintiffs, Joseph Resch, et al.

s/William H. Yohn Jr.
William H. Yohn Jr., Judge